

Appendix D
Hazardous Materials Group Factual
PHMSAInformation



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials Safety
Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

GUIDANCE FOR THE SAFE TRANSPORTATION OF MEDICAL OXYGEN FOR PERSONAL USE ON BUSES AND TRAINS

The Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) recommends that bus and train operators take the following precautions to assure that medical oxygen being transported for passengers' personal use is handled and transported safely:

FOR TRANSPORTATION IN THE PASSENGER COMPARTMENT

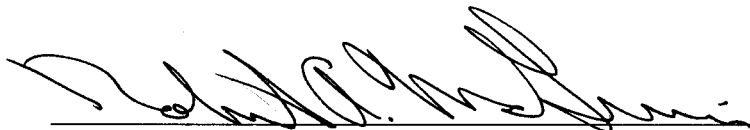
- Oxygen should be transported on a bus or train only when medically necessary.
- Oxygen should be transported in a cylinder maintained in accordance with the manufacturer's instructions. The manufacturer's instructions and precautions are usually printed on a label attached to the cylinder.
- Before boarding, inspect each cylinder to assure that it is free of cracks or leaks, including around the valve area and pressure relief device. Listen for leaks; do not load leaking cylinders on the bus or train. Visually inspect the cylinders for dents, gouges or pits. A cylinder that is dented, gouged, or pitted should not be transported.
- Limit the number of cylinders to be transported on board the vehicle to the extent practicable. If possible, transportation in the passenger compartment should be limited to one cylinder per person.
- Cylinders used for medical oxygen are susceptible to valve damage if dropped. Handle these cylinders with care during loading and unloading operations. Never drag or roll a cylinder. Never carry a cylinder by the valve or regulator. Carry the cylinder carefully using both hands.
- Do not handle oxygen cylinders or apparatus with hands or gloves contaminated with oil or grease.

- Each cylinder should be secured to prevent movement and leakage. Each cylinder should be loaded and secured in an upright position. "Secured" means that the cylinder is not free to move when the vehicle or train is in motion.
- Oxygen cylinders or other medical support equipment should never be stored or secured in the aisle. Make sure that the seating of the passenger requiring oxygen does not restrict access to exits or use of the aisle.
- Since the release of oxygen from a cylinder could accelerate a fire, each cylinder should be secured away from sources of heat or potential sparks.
- Under no circumstances should smoking or open flames (cigarette lighter or matches) be permitted in the passenger compartment when medical oxygen is present.
- When you reach your destination, immediately remove all cylinders from the bus or train.

FOR TRANSPORTATION IN THE CARGO COMPARTMENT

- Each cylinder should be placed in a box or crate or loaded and transported in an upright position.
- Valves should be protected against damage.
- Each cylinder should be secured against movement.
- The total weight for oxygen cylinders permitted in a bus cargo compartment is 99 lbs (45 kg).

For further information, contact PHMSA's Hazardous Materials Information Center at 1-800-467-4922.



Robert A. McGuire
Associate Administrator for Hazardous Materials Safety

September 26, 2005



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials
Safety Administration**

SEP 23 2005

400 Seventh Street, S.W.
Washington, D.C. 20590

DOT-E 14248

EXPIRATION DATE: December 31, 2005

1. GRANTEE: Texas State, local, and Federal government officials and persons conducting operations under the direction of those government officials within the Hurricane Rita disaster areas.
2. PURPOSE AND LIMITATION: This emergency exemption authorizes the transportation in commerce of hazardous materials used to support the recovery and relief efforts to, from and within the Hurricane Rita disaster areas under conditions that may not meet the Hazardous Materials Regulations. This exemption provides no relief from any regulation other than as specifically stated herein.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR, Parts 171 through 180, except as specified herein.
5. BASIS: This emergency exemption is based on a determination that it is necessary to avoid a risk of significant harm to persons or property by facilitating expedited transportation of hazardous materials to, from or within the disaster areas.

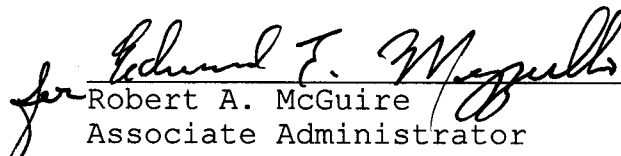
SEP 23 2005

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper shipping name -- Hazardous materials description	Hazard Class/ Division	Identi- fication Number	Packing Group
Hazardous Materials listed in the 49 CFR other than radioactive materials	Class 1, 2, 3, 4, 5, 6, 8, 9	As Applicable	As Applicable

7. SAFETY CONTROL MEASURES: Compliance with the HMR is required to the extent practicable. When compliance with the HMR is not possible or practicable, shipments may be offered or transported under alternative safety requirements imposed by the grantees.
8. SPECIAL PROVISIONS: Operations under this exemption are limited to the grantees.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicles, rail freight, cargo vessel, cargo aircraft only.
10. MODAL REQUIREMENTS: The shipper must provide written notification to the carrier of the hazardous material and packagings being offered at the time the shipment is initiated.

Issued in Washington, D.C.:


Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

9/23/05
(DATE)

PO: RP



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

AUG 27 2001

Mr. Michael Ritchie
Hazardous Materials Specialist
Minnesota Department of Transportation
Office of Motor Carrier Services, Mail Stop 420
1110 Centre Pointe Curve
Mendota Heights, MN 55118

Ref. No. 01-0207

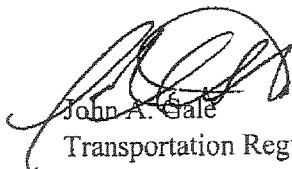
Dear Mr. Ritchie:

This is in response to your letter of August 3, 2001, requesting information regarding the transportation of oxygen cylinders on a passenger-carrying bus under the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180). Specifically, you ask if a spare oxygen cylinder may be carried aboard a passenger carrying bus as a material of trade as provided in § 173.6.

The answer is yes. By definition, a Material of Trade includes a hazardous material that is carried on a motor vehicle for the purpose of protecting the health and safety of the motor vehicle operator or passengers (see § 171.8). All the conditions of § 173.6 must be met.

I hope this satisfies your inquiry.

Sincerely,



John A. Gale

Transportation Regulations Specialist
Office of Hazardous Materials Standards



01-0207

173.6



Minnesota Department of Transportation

Office of Motor Carrier Services
Mail Stop 420
1110 Centre Pointe Curve
Mendota Heights, MN 55120-4152

Tel: 651/405-6060
Fax: 651/405-6082

August 3, 2001

Edward Mazzullo, Director
Office of Hazardous Materials Standards
United States Department of Transportation
Research and Special Programs Administration
400 Seventh St. SW
Washington, DC 20590

La Valle
~~\$177.870~~ ,173.6
\$173.6 MOTS
Applicability
01-0207

Dear Mr. Mazzullo,

The Minnesota Department of Transportation, Office of Motor Carrier Services, regulates transportation of elderly, handicapped or disabled persons under its Special Transportation Services (STS) program. Many of the service providers in the STS program are for-hire carriers, operating in commerce.

A question has been raised on the applicability of the Hazardous Materials Regulations (HMR) when the STS provider is carrying a passenger with a small oxygen cylinder. The cylinder is the property of the passenger, not the carrier, and is used for medical reasons. Your staff sent me a copy of a RSPA clarification letter, Ref. No. 99-0050, dated April 2, 1999, that addresses this issue. That letter states, in part, that "A cylinder of oxygen used by a passenger for medical reasons is not regulated under the HMR; however, spare oxygen cylinders must be transported in conformance with the HMR. Therefore, proper marking and labeling and shipping paper documentation is necessary for spare oxygen cylinders."

Our STS providers indicate that passengers often travel with a "spare" cylinder. This spare cylinder may be carried with the active cylinder, or separately. Could the transportation of the spare oxygen cylinder(s) be done under terms of the Materials of Trade provisions? Materials of Trade include "hazardous materials, other than hazardous waste, that is carried on a motor vehicle- (1) For the purpose of protecting the health and safety of the motor vehicle operator or passengers;" Would the Materials of Trade provisions apply to a carrier transporting its passenger's hazardous material?

Thank you for your consideration of this issue. If you have any questions, please contact me at (651) 405-6120 or by email at: michael.Ritchie@dot.state.mn.us.

Yours truly,

Michael Ritchie

Hazardous Materials Specialist

Minnesota Department of Transportation